

## UNITED STATES DISTRICT COURT

FOR THE

District of

PUERTO RICOUNITED STATES OF AMERICA  
v.**JUDGMENT IN A CRIMINAL CASE**  
(For Organizational Defendants)

ISUZU DE PUERTO RICO, INC.

CASE NUMBER: 04-376-2 (JAF)

JORGE ARROYO, ESQ.  
Defendant Organization's Attorney**THE DEFENDANT ORGANIZATION:** pleaded guilty to count(s) ONE ON 10/22/2004. pleaded nolo contendere to count(s) \_\_\_\_\_ which was accepted by the court. was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
33:1311 and 1319(c)(2)(A) 18:2	Violation of Clean Water Act.	3-31-2001	ONE

The defendant organization is sentenced as provided in pages 2 through 4 of this judgment.

The defendant organization has been found not guilty on count(s) \_\_\_\_\_

Count(s) \_\_\_\_\_  is  are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's  
Federal Employer I.D. No.: -----UNAVAILABLE-----12/3/2004

Date of Imposition of Judgment

Defendant Organization's Principal Business Address:

ISUZU DE PUERTO RICO, INC.

Signature of Judge

KENNEDY AVENUESAN JUAN, P.R.

Name and Title of Judge

Defendant Organization's Mailing Address:

SAME AS ABOVE12/3/2004

Date

DEFENDANT ORGANIZATION: ISUZU DE PUERTO RICO  
CASE NUMBER: 04-376-2 (JAF)

## PROBATION

The defendant organization is hereby sentenced to probation for a term of: **THIRTY-SIX (36) MONTHS.**

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

## STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organization's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees; and
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

DEFENDANT ORGANIZATION: ISUZU DE PUERTO RICO  
CASE NUMBER: 04-376-2 (JAF)

### **ADDITIONAL PROBATION TERMS**

1. The defendant organization shall not commit any Federal, states, or local crimes.
2. The defendant organization shall not discharge pollutants, except in compliance with the law.
3. The defendant organization shall make full and complete disclosure of its legitimate business finances/financial records as required by the U.S. Probation Officer.
4. The defendant organization shall make restitution to Mr. German Ocasio-Morales, Cuerpo de Bomberos de Puerto Rico, Apartado 13325, Santurce, PR 00908-3325, Attn: Finance Department, in the amount of \$2,500.00; and to the Puerto Rico Environmental Quality Board, Apartado 11488, Santurce, PR by the U.S. Probation Officer. Restitution will be made to the Clerk's Office, U.S. District Court, for eventual disbursement to the victims.
5. The defendant organization shall pay the imposed fine with interest as required by law during the period of supervision as directed by the U.S. Probation Officer and shall notify the U.S. Attorney's Office, as well as, the U.S. Probation Officer of any change of name or address that occurs before the full amount has been paid.

DEFENDANT ORGANIZATION: ISUZU DE PUERTO RICO  
CASE NUMBER: 04-376-2 (JAF)**CRIMINAL MONETARY PENALTIES**

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

<b>TOTALS</b>	<b>Assessment</b>	<b>Fine</b>	<b>Restitution</b>
	\$ 400.00	\$ 120,000.00	\$ 5,000.00 * see below

The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. §3664(i), all nonfederal victims must be paid before the United States is paid.

<b>Name of Payee</b>	<b>ADDRESS</b>	<b>Restitution Ordered</b>	<b>Method of Payment</b>
German Ocasio-Morales	Cuerpo de Bomberos de PR Aptdo. 13325 Santurce, P.R. 00908-3325 Attn: Finance Department	\$2,500.00	Same shall be paid during the Supervision period as directed by the U.S. Probation Officer.
Puerto Rico Environmental Quality Board	Aptdo. 11488 Santurce, PR 00910 Attn: Finance Department	\$2,500.00	Same shall be paid during the Supervision period as directed by the U.S. Probation Officer.

Restitution will be made to The Clerk's Office, U.S. District Court for the eventual disbursement to the victims.

**TOTALS** \$ \_\_\_\_\_ \$ \_\_\_\_\_

Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that:

the interest requirement is waived for the  fine  restitution.

the interest requirement for the  fine  restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.